



MINUTES
JUNE 4, 2008

Mr. Keller read the legal notice. Attorney Greg Brauneisen and Ben Doto PE spoke in favor of this. Mr. Doto submitted a photo to help identify where the site is; this was designated Exhibit A. Although they have frontage on Triangle St., the elevation has never been conducive to an entrance which is why this parcel has always been accessed by crossing over the adjacent property owned by Mel Powers. There is no stormwater management system presently, so they have designed one. It is before EIC because of the proximity to the Still River. They were fortunate that the site has good soil which has enabled them to drain this property effectively. The floodplain does extend onto the site and some activity is proposed in the floodplain area, but not in the floodway. They also have floodplain permit application before the Commission. In response to staff's concern for existing verbal agreement to pass and repass over the Powers' property, Mr. Mohammed and Mrs. Emminger both want a formal agreement, so that language is being worked on now. The site is currently served by City sewer and water. The Engineering

Mr. Keller read the legal notice regarding this. Attorney Paul Jaber said the applicants are Roy and Greg Steiner. He then introduced the team which would present this: Joe Canas, PE from Tighe & Bond, Richard Kent, the Landscape Architect, and Joe Balskus, PE and traffic engineer

from Tighe & Bond. He said also present was Cole Fasche from Benderson Development, who will be the developers for the hotel building. This parcel consists of about twenty acres; approximately ten of them are wetlands. He said all of the proposed uses are permitted within this zone. The first building is the hotel site which will be operated by Marriott, the second is a 50,000 sq.ft. office building, and the third is a restaurant consisting of approximately 58,000 sq.ft. He said this has EIC approval and there currently is a special exception/site plan approval from 2003.

Joe Canas PE, Tighe & Bond showed the Commission what 2003 approval looked like. It was an 83,000 sq.ft. one-story office building with the same access and egress. He said since that approval was granted, some site work has been done, starting with a detention pond. He said this proposal is for a 125 room hotel, a 50 sq.ft. two-story office building and a restaurant. He added that sewer service will be available from the West Side sewer interceptor. They do propose sidewalks to connect the uses within the site. He said they tried to keep what has been done already so as not to have to redo it. He mentioned that there is an application for a floodplain and discussed the impervious coverage compared to the previous approval. He said they are reducing the overall coverage by making the buildings two stories and changing the mix of uses. Attorney Jaber then explained there is an encroachment from 82 Mill Plain Rd. that crosses this property but there is no easement in place for it. Richard Kent of Environmental Design Associates, then spoke briefly describing the proposed landscaping.

Joe Balkus PE and traffic engineer from Tighe & Bond, said a traffic update was submitted with the application. He said they propose to synchronize all of the signals on Mill Plain Rd. but even with doing that, they still feel they need another signal. He said the average trips remain the same with the new plan. He said they will need to work with the DOT on all of this since this project needs STC approval.

Mary Reynolds, Library Place, said she always comes to speak for those who cannot speak for themselves, for the creatures that get destroyed during the construction process. She said she was happy to hear that they are reserving a piece of land to give back and asked that they tell their contractors to watch out for the living creatures in this area. She said we make these decisions one by one without thinking about the fact that the future will depend on them.

Gary Kurz, owner of Rosy Tomorrows Restaurant for 29 years, said the restaurant is across the street from the roadway that will lead to this development. He said he is not opposed to the office building, but the restaurant they are describing is not a small restaurant. He said he is not against development, but he does believe in responsible development. He said many people get off exits 1 and 2 to use Mill Plain Rd as a shortcut. He said the worst time of day for traffic backup is from 4:30 PM to 7:30 PM. The restaurant they are proposing could do up to a thousand meals a day, which is heavy usage for this location. He asked the Commission to look at what the real traffic will be because the traffic problem already exists now and this could make it worse.

Shawn Deakin said he is a lifelong resident of Danbury and has worked at Rosy's for eighteen years. He referred to an aerial photo and pointed out various landmarks. He then submitted a series of photos of the intersection taken at fifteen minute intervals. He and Mr. Kurz both expressed dismay about the gridlock that exists presently, telling tales of employees calling in saying they are stuck in traffic and cannot get into work. Mr. Kurz asked if they can afford to do

this to the neighborhood. Mr. Deakin said the light may help Prindle La. but it will not help Mill Plain Rd.

Mrs. Emminger read a letter from the City Traffic Engineer which asked for additional current traffic data.

Attorney Robert Fuller said he is representing Gary Kurz. He suggested they look at the trip generation table for each proposed use. The traffic report refers to the 2003 proposal which is about two-thirds of what is being proposed here. He said the current traffic report is not as detailed as the 2003 report. He said although they said no medical offices, they might be better off with them versus business offices which would generate the same amount of traffic on a regular basis. He said the traffic report submitted with the application is not as extensive as 2003 report was and there are several serious problems with this new information. He said the Friday PM peak is the worst time. A traffic light may solve the problem on Prindle La. but it will make the traffic on Mill Plain Rd. even worse. The more lights there are on a road, the longer it takes to travel it. He said this report also does not reflect other approvals which have been granted in this area nor does it consider other existing uses on Prindle La. He said the Commission should look very carefully at this since they are proposing a 50% increase to what was previously approved for this property

Mr. Keller asked that more detailed maps be included with updated data from the traffic engineers. Mrs. Emminger quoted the letter from the City Traffic Engineer which basically asked for a new traffic study. Mr. Blaszk asked if they could do some counts for Friday or Saturday.

Chairman Finaldi said the six boards with photos submitted by Mr. Deakin would be **Exhibit B**

Albert Salame, 35 Tanglewood Dr., said he had a few questions. His main concern is the eastern side of the property where the railroad passage way crosses his property. He said he is planning additional development on the 80 Mill Plain Rd. site and he hoped that this developer would install a buffer. He said he wants assurance that no one would be using his property instead of Prindle La. to exit this site.

Cole Fasch of Benderson Development/Bufalo Lodging, who will be the developer and operator of hotel, said they type of hotel will do most of their business during the week. He said the weekends are traditionally much slower with weekend occupancy rates being less than half of the weekday rates.

Attorney Jaber said several issues were raised that they will respond to at the next meeting. Joe Balkus PE said they will do Thursday and Friday counts because this is a mixed use development. He said the numbers they are using include the Reserve and Boehringer. He said traffic generation is roughly the same because of the mixed use. He submitted a copy of the traffic signal permit plan which was designated **Exhibit C**.

Mr. Urice made a motion to continue the public hearing. Mr. Blaszk seconded the motion and it was passed unanimously.

At 9:55 PM, Mr. Keller made a motion to take a five-minute recess. Mr. Urice seconded the motion and it was passed unanimously. At 10:00 PM, Chairman Finaldi called the meeting back

Pamela Equities Corp. – Application for fourteen (14) lot subdivision (110.29 ac.) “Candlewood Pines” in the RA-80 Zone and Request for Waiver to Chap. 4, Section B.12. of the Subdivision

[illegible]

OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION:

E.W. Batista Family LP – Application for Special Exception to allow Drive-thru/Fast Food Restaurant (“Dunkin Donuts”) generating in excess of 500 vehicle trips per day in the CG-20 Zone – 79 Federal Rd. (# L09019 & #L09029) – SE #668. *Public hearing closed 4/16/08 – 65 days will be up 6/19/08.*

Mrs. Emminger asked that they table this until the next meeting. Mr. Keller made a motion to continue the public hearing. Mr. Urice seconded the motion and it was passed unanimously.

[illegible]

82 Mill Plain Rd Realty LLC – Application for Special Exception/Revised Site Plan to allow HVAC Contractor’s Office & Associated Warehouse in the CA-80 Zone – 82 Mill Plain Rd. (#D15016) – SE #671. *Public hearing closed this evening.*

Mrs. Emminger said this is a simple resolution since it is really just for a change of use. Mr. Urice made a motion to approve this per the draft resolution. Mr. Keller seconded the motion and it was passed unanimously.

[illegible]

Shelter Rock Business Center LLC – Application for Special Exception to allow uses (Business/Office, Manufacturing/Warehouse & Storage) generating in excess of 500 vehicle trips per day in the IL-40 Zone – 22 Shelter Rock La (#L15005 & #L15006) – SE #648. *Public hearing closed 6/4/08 – 65 days will be up*

Mrs. Emminger explained that there were some conditions that she had added since the draft resolution was prepared. Mr. Urice made a motion to approve this per the amended resolution. Mr. Blaszkowski seconded the motion and it was passed unanimously.

[illegible]

NEW BUSINESS:

132 Federal Rd. LLC – Application for Special Exception to allow Office/Retail Use (“Party Depot”) generating in excess of 500 vehicle trips per day – 132 Federal Rd. (#L07043) – SE #673. Public hearing scheduled for 6/18/08.

Chairman Finaldi said this application would be on file in the Planning & Zoning Office.

[illegible]

Under For Reference Only were listed six applications for Floodplain Permits and the public hearings scheduled for June 18, 2008.

At 10:55 PM, Mr. Urice made a motion to adjourn. Mr. Keller seconded the motion and it was passed unanimously.